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FURTHER REPORT OF THE SECRETARY-GENERAL ON THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 745 (1992)

1. In accordance with resolution 745 (1992), by which the Security Council established the United Nations Transitional Authority in Cambodia (UNTAC), I have submitted a number of reports to the Council on the progress of the operation, as well as special reports required by the rapidly changing circumstances and unexpected developments in Cambodia. The latest of those reports (S/26360 of 26 August 1993) described developments since the elections successfully conducted in Cambodia by UNTAC in May 1993, the progress of the withdrawal of UNTAC military and civilian staff and preparations for the post-UNTAC period. On the basis of that report, the Security Council adopted resolution 860 (1993), by which, inter alia, it confirmed that UNTAC's functions under the Paris Agreements should end upon the creation in September 1993 of a new government of Cambodia consistent with those Agreements.

2. The mandate of UNTAC has now been accomplished in accordance with resolutions 745 (1992) and 860 (1993). On 19 September 1993, the 120-member Constituent Assembly which had been elected in May concluded its deliberations over a new Constitution. On 21 September 1993, the Assembly formally adopted the Constitution by a vote of 113 to 5 against, with 2 abstentions, a greater margin than the two-thirds majority specified in the Paris Agreements.

3. On 24 September 1993, His Royal Highness Prince Norodom Sihanouk, Head of State, formally promulgated the Constitution in Phnom Penh. Accordingly, Cambodia is now a constitutional monarchy with the official name "The Kingdom of Cambodia", and is an independent, sovereign, peaceful, neutral and non-aligned State. The same day, Prince Sihanouk was elected King of Cambodia by the Royal Council of the Throne. The powers and duties of the monarch are set forth in the Constitution in accordance with its article 7, which states that the King holds the throne but shall not hold power. In accordance with the Constitution and the Paris Agreements, the Constituent Assembly transformed itself into a legislative assembly.

4. The Constitution also stipulates that the Kingdom of Cambodia shall recognize and respect human rights in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights and all international instruments related to human rights and the rights of women and children. In accordance with article 51 of the Constitution, the Kingdom of Cambodia shall adopt a multi-party, free, democratic regime.

5. Following his election, King Sihanouk appointed His Royal Highness Prince Norodom Ranariddh, leader of the Front Uni National pour un Cambodge Indépendant, Neutre, Pacifique et Coopératif (FUNCINPEC) party, as First Prime Minister of Cambodia. FUNCINPEC won 58 seats in the Constituent Assembly. Mr. Hun Sen, leader of the Cambodian People's Party (CPP), which won 51 seats in the Assembly, was appointed Second Prime Minister.

6. Thus, the mandate entrusted to UNTAC was successfully concluded on 24 September 1993. My Special Representative for Cambodia left Cambodia on 26 September 1993.

7. The plan for the withdrawal of UNTAC personnel described in paragraphs 9 to 33 of my report of 16 July 1993 (S/26090) is proceeding smoothly. The Bulgarian, Tunisian, Uruguayan, Bangladeshi, Pakistani and Indian battalions of the Military Component have now all left Cambodia and there is no longer an UNTAC presence in the seven eastern Provinces of Ratana Kiri, Mondol Kiri, Stung Treng, Kratie, Kompong Cham, Svay Rieng and Prey Veng. As at 30 September 1993, the Military Component stood at 9,373 all ranks. In accordance with Security Council resolution 860 (1993), the Military Component is scheduled to complete its withdrawal from the country by 15 November 1993.

8. Of the 3,600 members of the UNTAC Civilian Police Component deployed in Cambodia, only 28 headquarters officers remain in Phnom Penh as at 1 October, and they will be withdrawn on 1 October 1993.

9. The other civilian components of UNTAC have virtually completed their withdrawal. There now remains a team of administrative staff to finalize the withdrawal and disposal of UNTAC assets. I shall in due course present a final performance report to the General Assembly, as requested by the General Assembly in its resolution 47/209 B of 18 September 1993.

10. Meanwhile, action is in hand to establish the United Nations presence which is required in the post-UNTAC period to carry out a variety of functions to consolidate peace and stability in Cambodia. As indicated in my earlier reports (see also S/26090 of 16 July 1993), these include especially de-mining, economic rehabilitation and human rights.

11. It is with great satisfaction that I report to the Security Council the formation, on 24 September, of the new Government of Cambodia, based on the will of the people expressed through free and fair elections organized and conducted by the United Nations. Thus, amid great hope and rejoicing, the central objectives of the Agreements on a Comprehensive Political Settlement of the Cambodia Conflict of 23 October 1991 (S/23177, annex) and of Security Council resolution 745 (1992) were realized and the transitional period came to an end.

12. As UNTAC now completes its mandate, I would like to express my appreciation to the members of the Security Council, both past and present, for their consistent support and guidance, without which our mission could not have been accomplished. I also wish to place on record my gratitude to the 46 countries which contributed troops and/or police officers, as well as my deep sorrow and regret at the loss of UNTAC personnel through hostile action, accidents and disease. I also pay tribute to His Majesty King Sihanouk, other leaders and the people of Cambodia for their historic achievement in overcoming more than

two decades of strife and devastation and laying a sound foundation for a peaceful and democratic Cambodia. It remains only to pay a tribute to my Special Representative, Mr. Yasushi Akashi, his Deputy Mr. Behrooz Sadry, the Force Commander, Lieutenant-General John Sanderson, and to all the men and women of UNTAC for their steadfastness, hard word and devotion to the goals of the UNTAC mission and to the highest ideals of the United Nations.